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8 **BEFORE THE**
BOARD OF REGISTERED NURSING
9 **DEPARTMENT OF CONSUMER AFFAIRS**
STATE OF CALIFORNIA

10 In the Matter of the Accusation Against:

Case No. 2013-440

11 **KAREN LOUISE HUFFMAN**
12 **3843 Ingraham, Apt. F303**
13 **San Diego, CA 92103**

A C C U S A T I O N

14 **409 Sunrise Drive E**
Coeur D Alene, ID 83815

15 **Registered Nurse License No. 576576**

16 Respondent.

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18 Complainant alleges:

19 **PARTIES**

20 1. Louise R. Bailey, M.Ed., RN ("Complainant") brings this Accusation solely in her
21 official capacity as the Executive Officer of the Board of Registered Nursing, Department of
22 Consumer Affairs.

23 2. On or about February 28, 1983, the Board of Registered Nursing issued Registered
24 Nurse License Number 576576 to Karen Louise Huffman ("Respondent"). The Registered Nurse
25 License was in full force and effect at all times relevant to the charges brought herein and expired
26 on December 31, 2002, and has not been renewed.

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JURISDICTION

3. This Accusation is brought before the Board of Registered Nursing ("Board"), Department of Consumer Affairs, under the authority of the following laws. All section references are to the Business and Professions Code ("Code") unless otherwise indicated.

4. Section 2750 of the Code provides, in pertinent part, that the Board may discipline any licensee, including a licensee holding a temporary or an inactive license, for any reason provided in Article 3 (commencing with Code section 2750) of the Nursing Practice Act.

STATUTORY PROVISIONS

5. Section 118, subdivision (b) of the Code provides, in pertinent part:

"(b) The suspension, expiration, or forfeiture by operation of law of a license issued by a board in the department, or its suspension, forfeiture, or cancellation by order of the board or by order of a court of law, or its surrender without the written consent of the board, shall not, during any period in which it may be renewed, restored, reissued, or reinstated, deprive the board of its authority to institute or continue a disciplinary proceeding against the licensee upon any ground provided by law or to enter an order suspending or revoking the license or otherwise taking disciplinary action against the licensee on any such ground."

6. Section 2764 of the Code provides, in pertinent part, that the expiration of a license shall not deprive the Board of jurisdiction to proceed with a disciplinary proceeding against the licensee or to render a decision imposing discipline on the license.

7. Section 2761 of the Code provides, in pertinent part:

"The board may take disciplinary action against a certified or licensed nurse or deny an application for a certificate or license for any of the following:

(a) Unprofessional conduct, which includes, but is not limited to, the following:

...

(4) Denial of licensure, revocation, suspension, restriction, or any other disciplinary action against a health care professional license or certificate by another state or territory of the United States, by any other government agency, or by another California health care professional licensing board. A certified copy of the decision or judgment shall be conclusive evidence of that action ..."

1 8. Section 2811, subdivision (b) of the Code provides:

2 “Each such license not renewed in accordance with this section
3 shall expire but may within a period of eight years thereafter be
4 reinstated upon payment of the biennial renewal fee and penalty fee
5 required by this chapter and upon submission of such proof of the
6 applicant's qualifications as may be required by the board, except
7 that during such eight-year period no examination shall be required
8 as a condition for the reinstatement of any such expired license
9 which has lapsed solely by reason of nonpayment of the renewal
10 fee. After the expiration of such eight-year period the board may
11 require as a condition of reinstatement that the applicant pass such
12 examination as it deems necessary to determine his present fitness
13 to resume the practice of professional nursing.”

14 **REGULATORY PROVISIONS**

15 9. California Code of Regulations, title 16, section, 1419.3 provides:

16 “In the event a licensee does not renew his/her license as provided
17 in Section 2811 of the code, the license expires. A licensee
18 renewing pursuant to this section shall furnish a full set of
19 fingerprints as required by and set out in section 1419(b) as a
20 condition of renewal.

21 (a) A licensee may renew a license that has not been expired for
22 more than eight years by paying the renewal and penalty fees as
23 specified in Section 1417 and providing evidence of 30 hours of
24 continuing education taken within the prior two-year period.

25 (b) A licensee may renew a license that has been expired for more
26 than eight years by paying the renewal and penalty fees specified in
27 Section 1417 and providing evidence that he or she holds a current
28 valid active and clear registered nurse license in another state, a
 United States territory, or Canada, or by passing the Board's current
 examination for licensure.”

COST RECOVERY

10 10. Section 125.3 of the Code provides, in pertinent part, that the Board may request the
11 administrative law judge to direct a licentiate found to have committed a violation or violations of
12 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and
13 enforcement of the case. Nothing in this section shall preclude a board from including the
14 recovery of the costs of investigation and enforcement of a case in any stipulated settlement.

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1 **FIRST CAUSE FOR DISCIPLINE**

2 **(Disciplinary Action by the Nevada State Board of Nursing)**

3 11. Respondent is subject to disciplinary action under Code section 2761, subdivision
4 (a)(4), on the grounds of unprofessional conduct in that Respondent's registered nurse license was
5 disciplined by the Nevada State Board of Nursing ("Nevada Board").

6 12. On or about December 31, 2002, pursuant to the Voluntary Surrender of
7 License/Certification In Lieu of Other Disciplinary Action received and accepted by the Nevada
8 Board in the disciplinary action entitled, *In the Matter of Karen Huffman, RN*, Nevada License
9 No. RN36304 (Case No. 0225-01C), the Nevada Board accepted the voluntary surrender by
10 Respondent of her Nevada registered nurse license. The basis for the discipline is that
11 Respondent admitted to diverting narcotic pain medication, including Demerol, from Valley
12 Hospital and to self-administering said narcotic pain medication while working as a registered
13 nurse. Respondent further admitted that she was habitually intemperate and/or addicted to
14 controlled substances.

15 **SECOND CAUSE FOR DISCIPLINE**

16 **(Unprofessional Conduct)**

17 13. Respondent is subject to disciplinary action under Code section 2761, subdivision
18 (a), in that Respondent committed acts of unprofessional conduct. The conduct is more
19 particularly described in paragraphs 12, inclusive, above, and herein incorporated by reference.

20 **PRAYER**

21 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,
22 and that following the hearing, the Board of Registered Nursing issue a decision:

23 1. Revoking or suspending Registered Nurse License Number 576576, issued to Karen
24 Louise Huffman;

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2. Ordering Karen Louise Huffman to pay the Board of Registered Nursing the reasonable costs of the investigation and enforcement of this case, pursuant to Business and Professions Code section 125.3;

3. Taking such other and further action as deemed necessary and proper.

DATED: December 3, 2012 *Amie Ben*
 for LOUISE R. BAILEY, M.ED., RN
 Executive Officer
 Board of Registered Nursing
 Department of Consumer Affairs
 State of California
 Complainant

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